

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION  
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In the Matter of:

CASE NO. 6:15-BK-1397-CCJ  
ADV. FILE NO. 6:15-AP-00038-CCJ

JAIME RODRIGUEZ and MARIA CELESTE  
RODRIGUEZ

Debtors.

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DIANE MAHONY and JOHN MAHONY

Plaintiffs,

v.

JAIME RODRIGUEZ and MARIA RODRIGUEZ

Defendants.

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**ANSWER TO COMPLAINT OF PLAINTIFFS**

COMES NOW the Defendants, by and through their undersigned attorneys, and file this  
their Answer to the Complaint of Plaintiffs, as follows:

1. Admit the allegation, but deny Plaintiffs are entitled to the relief requested.
2. Admit.
3. Admit.
4. Admit.
5. Admit the Complaint as filed, but deny all else alleged in the State Court pleading.
6. Denied.
7. Admit Exhibit "B", but deny the jury found a fraudulent misrepresentation.
8. Admit Exhibit "C", but deny the Judgment finding that Defendants were guilty of  
a fraudulent misrepresentation..
9. Admit there was not an appeal and that the question of attorney fees amount was

not decided before this bankruptcy was filed.

10. Defendants repeat their answers to the paragraphs above.
11. Admit the legal proposition, but deny it is applicable under our facts.
12. Denied as plead.
13. Denied as plead.
14. Denied.

WHEREFORE, the Defendants pray the Court dismiss this case with prejudice.

**AFFIRMATIVE DEFENSES**

1. The Amended Complaint alleges in paragraph one the cause of action is under §523(a)(2)(4) and (6), yet there is nothing plead to justify a recovery under §523(a)(4)(6).
2. The jury verdict did not make findings sufficient to deny a discharge of a debt under 11 U.S.C. §523(a)(2), and is therefore, not entitled to any res judicata.
3. The State Court Judgment does not make findings sufficient enough to establish the required elements of §523(a)(2) and is therefore, not entitled to any res judicata.

WHEREFORE, it is prayed the Court dismiss the Complaint.

I HEREBY CERTIFY that a true copy of the foregoing was furnished by United States Mail/electronic transmission to Brad E. Kelsky, Esquire, 1250 S. Pine Island Road, Plantation, Florida 33324 this 15<sup>th</sup> day of June, 2015.



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